

Mr. Richard L. Huff, Director
FOIPA Appeals
Department of Justice
Washington, D.C. 20530

6/27/84

Dear Mr. Huff,

In concluding my letter of June 15, 1984, I asked you to act on some of my simpler appeals. You had informed me that, belatedly, you were addressing some of what you described as the more complex of ancient matters, all older than the claimed backlog. Also referred to in that and earlier correspondence is the referral back to the FBI from the CIA of JFK assassination records of which the FBI informed me last year without providing a single page until a few days ago.

One of the ancient matters your office has steadfastly ignored relates to the interception of Lee Harvey Oswald's conversations with Cuban and Russian officials in Mexico City. Some of those records were not classified until they were being processed, when they were suddenly classified Top Secret. In my appeals I provided copies of what had been disclosed and I referred to what your staff thereafter reviewed, the authorized disclosures of the House Assassins Committee. I heard nothing and I received nothing after this review of the HSCA's disclosures. (To which, I add, I provided an index.)

It happens that I also have at least two requests filed with and ignored by the CIA for these identical materials. It also happens that in one of my FOIA suits the CIA attested that what it disclosed to HSCA could not be withheld from me, after which 100% of it remained withheld.

A former CIA official, David Attlee Phillips, was deposed by Defendant Donald Freed in Phillips' suits against him, Nos. 81-1407 and 2578, federal district court in D.C. Also present were Lee Strickland, special assistant to the USA, Laurie Ziebell, associate CIA general counsel, and Paul Kittridge representing the director of operations of the CIA. All of these people were present to prevent the disclosure of any classified information.

Without complaint from any of them, beginning on page 35 of the transcript, Phillips testified that he was in charge of such surveillances in Mexico City, that Oswald's conversations with Cuban and Russian officials relating to his effort to get a visa were intercepted and transcribed, and that at least one memo was written about the content of these transcripts of conversation interceptions. (Phillips also testified to having an inside source on the Cubans.)

It thus is apparent that what remains withheld is only the content of the intercepted conversations, a partial paraphrase of which was disclosed to another many years ago by the FBI. I do not see how what remains withheld can possibly qualify for any exemption, including "national security" and I therefore ask that you process this appeal immediately. It is one of the few matters about which I would today consider filing suit because of my age and impaired health. I would hope that you, the Department and the FBI and CIA would prefer to avoid any unnecessary litigation, despite the long record to the contrary, because the uncontested facts with regard to this matter have long been before you and are quite clear. Numerous attachments are provided along with my appeals. Your office has never raised a single question about this and related matters, either.

I suggest also that the government has a special and considerable interest in making full disclosure because filing to do so will continue to fuel the suspicions that Oswald, the accused Presidential assassin, had a special relationship with it. When even the people involved in the taping and transcription were interviewed by the press, continued withholding is certain to make people more suspicious of the government. Moreover, there always has been a great and I think overriding public interest in this matter and what relates to it. Sincerely, Harold Weisberg

Harold Weisberg